

~~Rule 4 202.12. Access to electronic data elements.~~

~~Intent:~~

~~To define the extent of access to data elements maintained in a computer data base.~~

~~To protect the right of access by the public to information regarding the conduct of court business.~~

~~To protect privacy interests from intrusion made possible by the increased accessibility of information recorded, stored, and transmitted in an electronic medium.~~

~~To protect the independence of the judicial decision making process from undue influence due to the release of court data.~~

~~Applicability:~~

~~Notwithstanding any other provision of law, this rule shall apply to all requests for data elements contained in case management applications of the court computer systems.~~

~~This rule does not apply to data elements contained in other applications on court computers.~~

~~This rule does not apply to requests for data elements by the Judicial Council and its Boards and Committees, state court judges, court commissioners, or employees of the state judiciary.~~

~~This rule imposes no obligation upon the judiciary to create a data element or to make a data element available electronically when it is not technologically feasible to do so.~~

~~Statement of the Rule:~~

~~(1) Public data only. Data elements classified by Rule 4 202.02 or other provision of law as other than public records will not be made available.~~

~~(2) Person specific data.~~

~~(2)(A) Electronic records from which a person can be identified will be made available upon request only by inquiry of a single case or in the following indexes. An index shall contain only other index information.~~

~~(2)(A)(i) attorney name.~~

~~(2)(A)(ii) case number.~~

~~(2)(A)(iii) case status.~~

~~(2)(A)(iv) civil case type or criminal violation.~~

~~(2)(A)(v) civil judgment or criminal disposition.~~

~~(2)(A)(vi) daily calendar.~~

~~(2)(A)(vii) file date.~~

~~(2)(A)(viii) party name.~~

~~(2)(B) Electronic records from which a person can be identified will include only the following data elements. Other data elements are private.~~

~~(2)(B)(i) amount in controversy.~~

~~(2)(B)(ii) arrest date.~~

~~(2)(B)(iii) bail amount.~~

~~(2)(B)(iv) case number.~~

~~(2)(B)(v) case status.~~

~~(2)(B)(vi) case type.~~

~~(2)(B)(vii) civil judgment amount balance due.~~

~~(2)(B)(viii) civil judgment amount credit.~~

~~(2)(B)(ix) civil judgment amount paid.~~

~~(2)(B)(x) civil judgment amount total.~~

~~(2)(B)(xi) civil judgment date.~~

~~(2)(B)(xii) civil judgment debtor's service of process address.~~

~~(2)(B)(xiii) civil judgment debtor's social security number.~~

~~(2)(B)(xiv) civil judgment debtor's driver license number.~~

~~(2)(B)(xv) criminal finding code.~~

~~(2)(B)(xvi) criminal finding date.~~

~~(2)(B)(xvii) criminal sentence.~~

~~(2)(B)(xviii) date of birth.~~

~~(2)(B)(xix) disposition type.~~

~~(2)(B)(xx) domestic violence flag.~~

~~(2)(B)(xxi) file date.~~

~~(2)(B)(xxii) judge assigned.~~

~~(2)(B)(xxiii) judge disposition.~~

~~(2)(B)(xxiv) law enforcement agency.~~

~~(2)(B)(xxv) offense tracking number.~~

~~(2)(B)(xxvi) party address.~~

~~(2)(B)(xxvii) party name.~~

~~(2)(B)(xxviii) party type.~~

~~(2)(B)(xxix) plea date.~~

~~(2)(B)(xxx) plea.~~

~~(2)(B)(xxxi) stay date.~~

~~(2)(B)(xxxii) stay reason.~~

~~(2)(B)(xxxiii) violation code.~~

~~(2)(B)(xxxiv) violation date.~~

~~(2)(B)(xxxv) violation description.~~

~~(3) Medium of transmission.~~

~~(3)(A) The judiciary may use any convenient medium for transmission of requested data elements. The judiciary shall use the medium requested if the medium is available and does not interfere with court business. The data may be transmitted by means of public on line services or copied to floppy disk, compact disk, or other storage medium.~~

~~(3)(B) Public data elements not included within paragraph (2) may be made available orally, in writing, or by permitting inspection or copying of public records that contain the information. Data elements not included within paragraph (2) shall not be made available through the case management applications of the court computer systems nor, except as provided within paragraph (4), through a report generated by the case management applications of the court computer systems.~~

~~(4) Reports. If a report used within the judiciary is prepared from or contains case management data elements, the report shall be made available only if:~~

~~(4)(A) all of the data elements in the report would have been made available under this rule;~~

~~(4)(B) the report is of summary data; or~~

~~(4)(C) the Judicial Council classifies the report as a public record.~~

~~(5) Data quality. Data elements provided under this rule represent information furnished to the court by parties, lawyers, and others. Data elements provided under this rule represent the best effort of the judiciary to record information accurately and timely. However, the judiciary is not responsible for incomplete or erroneous information.~~

~~(6) Requests. Requests for data elements are subject to the procedures for requests for records established in Rules 4 202.04, 4 202.05, and 4 202.06. Subscription to public on line services is deemed a request for any information posted to public on line services. Subscribers to public on line services are subject to the restrictions of this rule.~~

~~(7) Fees. The fees for requests for data elements shall be as established in Rule 4 202.08.~~